

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No.1139, CUTTACK, FRIDAY, MAY 17, 2024/ BAISAKHA 27, 1946

HOME (ELECTIONS) DEPARTMENT

NOTIFICATION

The 17th May, 2024

No.9363—EC-CON-COE-0093/2024/Elec.— In supersession of all the previous instructions and in due consideration to the recommendation of the Election Commission of India, New Delhi vide their letter No 218/6/2022/EPS dated the 9th March, 2023, Government have been pleased to revise the scale for payment of ex-gratia compensation to the families of persons on election duty who die or to the personnel himself on sustaining grievous injuries leading to permanent disability while on election duty during General Elections to Lok Sabha and Odisha Legislative Assembly, 2024.

2. Election duty period: The period of election duty would start from the date of the announcement of the elections and up to the declaration of results (both dates inclusive).

3. Eligibility:

i. The Commission provides for compensation of ex-gratia payment to the kin of polling / security personnel in case of death or grievous injuries arising out of and in the course of election duty and include

- a. All personnel deployed in all types of election related duties,
- b. All security personnel under CAPFs, SAPs, State Police, Home Guards,
- c. Any private person like drivers, cleaners, etc. hired for election duty,
- d. BEL/ECIL engineers who are engaged in First Level Checking (FLC), EVM commissioning, Poll Day and Counting Day duty.

ii. It is clarified that it would be reasonable to consider a person on election duty as soon as he / she leaves residence / office to report for any election related work including training and until he / she reaches back to his / her residence/ offices after performance of election related duty. If any mishap takes place during this period, it should be treated as having occurred on election duty subject to condition that there should be a causal connection between occurrence of death / injury and the election duty.

iii. For BEL / ECIL engineers, the period of First Level Checking (FLC) duty and the duration for which the official is deputed for commissioning, poll / counting arrangement, will be treated as period of election duty.

iv. For COVID related deaths, the person should be deployed as well as should have performed election duty and there should be a cogent relationship between his / her election duty and his / her contracting COVID. His / her COVID positive report should be within 15 days from the end of performance of election duty and with a medical certificate / Death certificate from a hospital mentioning that the death took place due to COVID.

4. Following are the current minimum ex-gratia compensation rates provided:

i. The amount of compensation would be **Rs.30 lakhs** if the death is caused due to any violent acts of extremism or anti-social elements like road mines, bomb blasts, armed attacks and death due to COVID-19.

ii. An amount of **Rs.15 lakhs** in the event of death by any other reason other than mentioned above in point No. (i).

iii. An amount of **Rs.15 lakhs** if the permanent disability is due to involvement of extremist or unsocial elements as aforesaid.

iv. An amount of **Rs.7.5 lakhs** in the case of grievous injury resulting in permanent disability, like loss of limb, eye sight, etc.

v. Payment of ex-gratia compensation will be in addition to the compensation already being paid by the MHA under its extant guidelines and any other compensation paid by the State Government or any employer.

vi. The payment of ex-gratia shall be processed without any unnecessary delay.

vii. Payment of ex-gratia compensation will be applicable to **Parliamentary / Assembly / Bye-Elections and for elections of Legislative Councils, President and Vice-President of India** as per slabs and terms & conditions mentioned above.

5. Procedures for consideration of cases:

i. In each of the cases, whether deceased or injured / disabled, it will be the responsibility of the DEO and SP to initiate the process of claim for compensation.

ii. The process should be initiated within 10 days of the occurrence leading to injury or death and **in no case should be delayed beyond 10 days after completion of the poll process.**

iii. The DEO may consider below mentioned documents while deciding the case of compensation:

a. Certificate from the District Election Officer that the deceased / disabled was on Election Duty.

b. Certificate from the District Superintendent of Police that the deceased / disabled personnel were on Election Duty (In case of police personnel/ CAPF).

c. A Copy of First Information Report (FIR) and / or inquest 'panchnama' (if lodged / done)

d. A copy of Post-mortem report, if done, in case of death.

e. Copy of Medical Certificate by competent medical authority (for disabled / injured personnel)

f. Legal heir Certificate / Succession Certificate only in case of a dispute.

iv. Chief Electoral Officer of the State shall preferably decide the case **within one month** of this receipt of the case for settlement of compensation.

6. Cashless Treatment:

i. The Commission has directed to make arrangements for treatment in state of the art hospitals for all such personnel involved in elections who get injured or fall sick while on duty.

ii. In order to accelerate, the treatment and avoid delay, arrangements/ tie-ups/ cashless facilities may be carried out in advance with the hospitals for the election period till the declaration of results.

7. This benefit is also applicable for the period of Bye-election conducted in the State. Further, it is clarified that the staff those who are engaged in the conduct of election work in the office of CEO, Odisha, O/o the DEO & Collectors and Sub-ordinate Offices are also eligible to avail the aforesaid benefit.

8. To avoid duplicity, the onetime compassionate grant payable as per Finance Department Resolution No.9794-Pen-51/2000-F., dated the 7th March, 2001, Resolution No. 53885-Pen-64/2001-F., dated the 2nd November, 2001 & Corrigendum Memo No.5204/Pen-64/2001-F., dated 2nd February, 2002, Resolution No.43870-Pen-144/2008-F., dated 25th September, 2008 and Resolution No.2510-Pen-73/2008-F., dated 12th January, 2009 for death and injury/ disability will not be payable to the families of Government employees/ Government employees who are covered under this order for the period this order remain in force.

9. 'Family' shall have the same meaning as provided in clause (b) of Rule-2 of the OCS (Compassionate grant) Rules, 1964.

10. The decision of Chief Electoral Officer regarding sanction of quantum of compassionate grant is final.

This has been concurred in by Finance Department in their OSWAS File No.FIN-GSI-BT-0009-2024.

NIKUNJA BIHARI DHAL
Chief Electoral Officer, Odisha